

FILED

SEP 04 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

U.S. DISTRICT COURT-WVND
CLARKSBURG, WV 26301

IN RE:

West Virginia Parole Board/West Virginia
Division of Corrections and Rehabilitation

Plaintiff

VS.

Miscellaneous No. 1:19mc34

Al-Teric Garrett
OIS #3556150

Defendant

ORDER DENYING REQUEST
AND DISALLOWING TESTIMONY OF
U.S. PROBATION OFFICER EVIN THOMAS
IN WEST VIRGINIA PAROLE REVOCATION PROCEEDING

Matthew J. Currence, Northern District Supervisor for the West Virginia Parole Board, had served a subpoena on United States Probation Officer, Evin Thomas, seeking his testimony as a witness in the parole revocation proceeding of Al-Teric Garrett, OIS #3556150. Said subpoena was served on August 29, 2019, seeking his testimony on September 12, 2019. The subpoena was not served timely pursuant to the Rules for Disclosure adopted by the Judicial Conference of the United States in March 2003, and said subpoena did not include an Affidavit setting forth a written statement explaining the nature of the testimony, the relevance of the testimony, and the reasons why the information being sought was not readily available from other sources or by other means as further required by the Rules for Disclosure.

For this reason, the Court orders that United States Probation Officer Thomas not provided any testimony at this time in the West Virginia Parole revocation proceeding of Al-Teric Garrett, OIS #3556150.

IT IS SO ORDERED.

The Clerk is DIRECTED to serve certified copies of this order to Betsy C. Jividen, Commissioner, West Virginia Division of Corrections and Rehabilitation; Matthew J. Currence, West Virginia Parole Board, Northern District Supervisor; U.S. Probation Officer, Evin Thomas and Deputy Chief United States Probation Officer, Jeffery S. Wilkinson.

DATED: September 4, 2019



THE HONORABLE IRENE M. KEELEY
UNITED STATES DISTRICT JUDGE